



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes JUDICIAL/LEGISLATIVE COMMITTEE

*Philip M. Goldstein, Chairperson
Van Pearlberg
Jim King*

Wednesday, October 27, 2010

Council Chamber

Immediately following Parks, Recreation and Tourism Committee

Presiding: Philip M. Goldstein
Present: Jim King and Van Pearlberg

Also Present:

*R. Steve Tumlin, Mayor
Annette Lewis, Council - Ward 1
Grif Chalfant, Council - Ward 2
Johnny Sinclair, Council - Ward 3
Rev. Anthony Coleman, Council - Ward 5
William F. Bruton, Jr., City Manager
Doug Haynie, City Attorney
Yvonne Williams, Deputy City Clerk*

CALL TO ORDER:

Chairman Philip M. Goldstein called the meeting to order at 6:36 p.m.

MINUTES:

20101070

Regular Meeting - September 29, 2010

Review and approval of the September 29, 2010 regular meeting minutes.

A motion was made by Council member Pearlberg, seconded by Council member King, that this matter be Approved. The motion carried by the following vote:

Vote: 3 - 0 - 0

Approved

BUSINESS:

20101092

Southern Polytechnic University Campus Police

Request for approval to allow Southern Polytechnic University Campus Police to enforce city ordinances related to public safety on campus.

This matter was Tabled.

20100926 Delk/Franklin Road LCI Study Amendment

Discussion relative to a Cobb County request to make amendments to the Franklin Road LCI boundary area and project listing, as well as a city request to amend LCI language.

Discussion was held. This matter was held in committee for further discussion next month.

Referred back to the Judicial/Legislative Committee

20101142 Renewal of Lease

Request approval to renew the lease between the Downtown Marietta Development Authority and the city of Marietta for 18 Whitlock Avenue for use by the Gone with the Wind Museum.

Discussion was held. This matter was referred to the City Council Agenda Work Session for further discussion.

This matter was Referred to the City Council Agenda Work Session

20101143 Noise Ordinance

Discussion regarding lowering accepted limits to the noise ordinance as requested by Council Member Coleman.

Discussion was held. There was no action taken regarding this matter.

Discussed

20101144 Envision Marietta 5-Year Update

Update to the original City of Marietta LCI study in order to remain an active LCI participant.

Approval of a Resolution for the 5-year update for the Envision Marietta Livable Center Initiative (LCI).

A motion was made by Council member King, seconded by Council member Pearlberg, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 3 - 0 - 0

Recommended for Approval - Consent Agenda

20101146 Discussion of blighted areas

Discussion of incentives available for parties to tear down a residence(s) and build a new residence(s) in blighted areas as requested by Council Member Van Pearlberg Pearlberg.

Discussion was held. There was no action taken regarding this matter.

Discussed

20101147 Discussion of residential and commercial maintenance codes

Discussion of Georgia metro municipalities that have codes or ordinances relating to the appearance, upkeep, and maintenance of residential and or commercial properties as requested by Council Member Van Pearlberg.

Discussion was held. There was no action taken regarding this matter.

Discussed

20101148 Foreclosed Properties

Discussion of the DeKalb County Ordinance regarding foreclosed properties as requested by Council Member Annette Lewis.

Discussion was held. There was no action taken regarding this matter.

Discussed

20101165 Public Forum's

Request for a discussion by Mayor Tumlin of possible public forums to be conducted prior to any proposed BLW rate increases.

Discussion was held regarding proposed town hall meetings regarding utility rate increases.

There was a general consensus to hold a Town Hall meeting at the end of the month regarding possible utility rate increases.

Discussed

Chairman Goldstein recessed the meeting at 8:13 p.m., and reconvened at 8:37 p.m.

20101160 Certificate of Approval

Discussion of time limits for the HBR and HPC for Certificates of Approval/Appropriateness as requested by Mayor Tumlin.

Council member Philip M. Goldstein owns properties and/or entities that own properties in the Downtown District that is dealt with by the Marietta Historic Board of Review. Other family members and relatives of Philip M. Goldstein also own properties in the Downtown District that is dealt with by the Marietta Historic Board of Review. The proposed district-wide change for new requests would affect the process that all property owners in the district that are subject to the rules and regulations and requesting demolition permit for historic property have to comply with.

In depth discussion was held. Proposed changes to Code Sections 7-8-9-050 and 7-8-9-060 regarding Certificate of Appropriateness and Code Sections 7-8-8-050 and 7-8-8-090 regarding Certificate of Approval were moved forward to the Council agenda. (See agenda items 20101160 and 20101228)

A motion was made by Council member Pearlberg, seconded by Council member King, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 2 - 0 – 0 Recommended for Approval - Consent Agenda
Abstaining: Philip M. Goldstein

20101166 Proposed 2011 Committee and Council Meeting Calendar

Review and approval of the proposed 2011 Committee and Council Meeting Calendar.

A motion was made by Council member King, seconded by Council member Pearlberg, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 3 - 0 – 0 Recommended for Approval - Consent Agenda

ADJOURNMENT:

The meeting was adjourned at 9:17 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____